

KILLED A PRISONER

Desperate Convicts in the Ohio Penitentiary Attack a Guard.

TEMPLE MADE A HARD FIGHT FOR LIFE

He Had Heard That There Was a Plot to Murder Him.

FELLOW GUARDS RUN TO HIS RESCUE

When He Was Released from the Prisoners He Deliberately Shot One Down. The Others Were Panicked.

Columbus, O., December 26.—The epidemic of assaults upon guards at the Ohio penitentiary, which began about six months ago, culminated this morning in a bloody encounter, in which one prisoner was shot and instantly killed, another dangerously wounded with a pistol ball in the leg and a third with a head wound.

The convicts who participated in the attack were Joseph O'Day, a Hoxg county prisoner, serving a two-year sentence for forgery; John Burke, a Lorraine county prisoner, serving two years for robbery; and John Bird, serving one year from Franklin county for shooting to wound.

The mounting room in the foundry has for some time been in a state of terror, or in other words, the prisoners have had full way and were in the habit of doing as they pleased.

The officials decided to put a stop to this, and on last Saturday Guard J. Temple, of Columbus county, was placed on duty in that department. Several of the bolder prisoners in the shop began at once to work, and told the guard he had better not attempt to enforce the rules. Guard Temple is rated as one of the bravest and most efficient guards in the penitentiary, and consequently these little bluffs did not scare him in the least from performing his duty. He stood up to the men and was with, and saw at once that O'Day, the Cleveland prisoner, was the leader of the gang. Monday morning Temple had the occasion to report O'Day for violating the rules. O'Day and his pals at once threatened vengeance, and Christmas morning, when he was on duty, he was surrounded by a mob of prisoners. Temple was informed that a plot had been hatched to kill him and he was advised by friends to arm himself and be prepared for the attack. Prior to this Temple never carried a weapon of any kind, but decided to act on the advice and purchased a Smith & Wesson revolver of the best make.

He hardly expected that the men would carry out their threat, and when he reported to the foundry for duty this morning he had almost dismissed the subject from his mind. But the men had been plotting the plot up by any means, but on the other hand were more determined than ever of riding the shop of an official who dared to do his duty.

The attack on the guards. Temple marched his company in at 7:30 o'clock as usual, and just as he stepped inside the building, O'Day, Burke and Bird grabbed him and proceeded to carry out their threat of killing him.

Burke caught Temple by the throat, Bird held his hands and O'Day struck him on the top of the head with an iron bar. Temple succeeded in getting his hands free, and with a revolver he fired at the men, but the shot was not effective, and the men were determined to kill him.

Several of the guards in the other departments heard the scuffle and rushed to Temple's rescue.

Guards Fulton and Butler were among the first to arrive, and they threatened to club the men, and in this way succeeded in driving them off from Temple, who by this time, having been covered with blood, fled from the wound on his head. In the meantime Temple had fired two shots from his revolver, having aimed them at Reuben Gardner, a Wood county prisoner, from whom O'Day had asked to get a knife.

One shot struck Gardner on the leg and passing through the leg, he fell to the ground, producing a very painful wound. Temple fired the shot without taking his revolver from his waist, and he was only a few minutes later the guards came to his rescue, he took the revolver out and deliberately shot at it at a distance of about twenty feet. Temple claims that when he shot the fatal shot O'Day had turned to renew the assault.

Guards and Prisoners Run. Constabulary reigned supreme. Prisoners ran in all directions and the guards were at first afraid to take a hand in the affair for fear of being shot. Temple stood in the middle of the floor with the smoking revolver in his hand and refused to give it up. He was dazed by the severe blow he had received on the head, and it was only after the men had been taken from him that he could be induced to go to the hospital.

Dr. Frelan, who examined his injuries and found him to be suffering from a severe bruise on the top of his head, but nothing indicated that his injuries will prove fatal. O'Day was taken to the hospital, and when he died, was carried to the hospital. Examination then held a postmortem examination and found that he had been shot through the left side, passed through the fifth rib, and lodged just under the skin on the right side.

He had sixty days of good time taken off last May when he was released. Herring, a Richmond county guard, was twenty-three years of age and his place of his nativity is given on the prison records as Deadwood, S. D.

Run Into Coal Cars. Nashville, Tenn., December 26.—The New Orleans passenger train No. 1, on the Louisville and Nashville road, collided with an open switch on the main line at Brantwood last night. The engine was demolished, and D. G. Shugart, engineer, and his fireman, both of Nashville, were found in the wreck badly scalded and unconscious. The baggage and express cars caught fire and were destroyed. The baggage master was hurt, but not seriously. The passenger cars were not damaged.

Work of the St. Louis Grand Jury. St. Louis, Mo., December 26.—The grand jury today made its final report, turning in 172 indictments, fifty-four of which are for alleged election frauds. Henry Sherif-elect, is indicted for alleged bribery in paying money to judges. The others are mostly indictments for the lower courts. The grand jury reports that the city institutions are unfit for human habitation. The city jail is especially insanitary and a menace to the health of the city.

A Burglar Shot. St. Augustine, Fla., December 26.—(Special.)—Noel Miller caught a strange woman trying to force the door of the school superintendent's residence. He was shot and killed. The woman was also shot and killed. The school superintendent was not hurt.

Ordered to Leave Town. Butte, N. T., December 26.—Johnny Van Hunt and Billy Smith, two well-known pugilists, were arrested as vagabonds in the police court this afternoon and ordered to leave town. Chief of Police Smith said that he had made up his mind to rid the city of all loafers.

Scarlet Fever in Savannah. Savannah, Ga., December 26.—(Special.)—There is some fear with regard to the prevalence of scarlet fever. Seven cases have been discovered in a private school among young children. Ten cases have also been reported in the city. The health department has taken all the necessary steps to prevent any spread of the fever, and a strict house quarantine is being preserved.

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INCOME TAX STANDS

Uncle Samuel Needs the Revenue and the Law Will Hold.

HILL IS KEEPING OUT OF THE WAY

Senate, House and Ways and Means Are Afraid to Try to Repeal It—The Republicans Are Not Too.

Washington, December 26.—(Special.)—Anti-income taxers are again making mouths at this, to them, very offensive law, and they tell what deeds of anti-income tax doing Hill will do when he gets back. Hill went away to "spend the holidays," and incidentally allow the urgent deficiency bill carrying the appropriation to collect the income tax to go through in his absence. But it has not as yet gone through. And Hill, should he return January 3d, when congress reconvenes, will find the measure still in the ring ready to begin that will with him, which he seems so willing to avoid. Now the anti taxers say that Hill, when he returns, will attack the income tax; that he can't get out of it and won't try. These anti-income taxers also tell how Cleveland is against it, and that the republican congress coming in will repeal it. And so they go on. One said today as to Cleveland and the next Congress: "The tax can't last longer than a year. To make elaborate arrangements to collect it would be a mistake. That's statecraft for you! A law passed by two-thirds of the members of a congress and is not to be collected because some prophet knows the next congress will repeal it! He continues: "Such a repeal bill, even though passed by a republican congress, would receive the signature of Mr. Cleveland. The income tax, as incorporated into the tariff bill, did not need his approval, and it is even asserted that it added to the disfavor with which in the end he came to regard the whole tariff work of the congress. His friends in New York and the east denounce the tax."

That is how the anti-income taxers talk; here's the truth. Hill doesn't dare whisk the income tax. Still less will Cleveland face it. As for Ford and other republicans, they will let it alone if it were ratified. As a party the republicans show more sense in a matter of letting things alone than the democrats. One excellent reason why no one will repeal the income tax is that the treasury needs the money.

In this connection that the direct question was asked Carlisle in the recent hearings before the banking and currency committee in support of the currency bill, whether the two gold loans of an aggregate of \$100,000,000, which had been secured by the government, were necessary because of a deficit in the receipts for current expenditures, or whether the gold was secured simply to maintain the parity of the dollar, did not seem to answer the inquiry whether any portion of this \$100,000,000 in gold had been used to pay the interest on the government bonds. It is the opinion of those who are the most familiar with the operations of the treasury department that a very considerable portion of this gold has been used to pay the interest on the government bonds. But there is no danger. The income tax is legal, and it is safe from assault in court. Having been passed by the house and Senate, and those who are to pay it might better approach the captain's office and settle with less of squirm, writh and growl.

Indian Territory Affairs. Before the holiday season is over a powerful lobby will have established itself in the Indian Territory. It has been looking to the establishment of a territorial government in Indian Territory. Dearly thirty years ago the territory was ceded to the United States. Mr. Thompson, of Tahlequah, and G. W. Grayson, of Eufaula, are already here actively at work. Chief Harris, of the Cherokee nation, has delegates to report to the five tribes, is expected to arrive against the reassembling of congress. Mr. McKimley, who is the acting governor, was adopted by the Cherokee council and is a reply to the report made by the Jawes and other delegates from the Cherokee nation. A conference will be held with the president, and then the lobbyists will be at work. Chief Harris, of the Cherokee nation, has delegates to report to the five tribes, is expected to arrive against the reassembling of congress. 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BRIGHT DAYS AHEAD

The Architects Speak Glowingly of the Outlook for the Year.

NEW BUILDINGS TO BE ERECTED

The Present Year Has Witnessed a Number of Improvements, and These Will Be Greatly Surpassed Next Year.

In spite of the business depression that has paralyzed Atlanta's trade during the past year and caused the merchants to feel uncomfortably blue, the city has made rapid strides forward and the new year will find Atlanta further advanced than she was at this time a year ago.

New buildings are to be erected on vacant sites and old ones are to be improved by the addition of new stories or by such lateral extensions as will give them a new appearance. The structures of Chicago and New York are the models that the architects will follow to the ground.

It is not yet ripe for publication, but rumor has it from reliable sources that a preliminary plan for the new city hall is being drawn by the architects of the city.

The year ushered in the great Cotton States and International exposition and the stimulating effect of this great enterprise has been felt already in business circles to such an extent that the year approaching will, in all probability, be the most successful year in all lines of legitimate trade and competition, that Atlanta has ever known.

Notably significant is the marked increase of business among the architects of the city. They have their hands full of work and daily employment is given to a large force of talented men in the drawing of plans. These plans include public buildings, churches, schools, and private homes.

It will not surprise the prophets if a new and elegant church building is started before next fall and the building, if not more expensive, will, at least, be as fine as the one now standing on the site of the Second Baptist church of this city.

Mr. W. T. Downing, who has in charge the erection of the fine arts building at the exposition and who is one of the most progressive and successful young architects of this city, was seen by a representative of the Constitution yesterday afternoon.

"I am not at liberty to state names," said Mr. Downing, "but I am making the preliminary calculations for two important buildings that will be erected during the coming year. I mention them here only because the character of these buildings is such as to warrant the statement, that they will add materially to the attractiveness of the city and increase Atlanta's local pride in her public buildings."

In addition to these I have a splendid room in business in the drawing of plans for new and comfortable private homes, ranging from \$2,000 to \$10,000.

"The outlook for public buildings and private dwellings better than this was at this time a year ago," said Mr. Downing.

"A year ago the architects of the city were rather discouraged. They had been heavily defeated in the election of 1893, and they felt that they had no chance of success in the coming year."

"But the tide has turned. The city is now in a position to make a change for the better in the situation. This is the first time in many years that the city has been able to make a change for the better in the situation."

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FROM THE NORTH.

The Cold Wave Has Crossed Over the Blue Ridge Mountains.

A DECIDED DROP IN THE MERCURY

Heavy Snow Falls in Virginia—The Reports Indicate a Severe Cold Snap All Over the Country.

A cold wave from the snow fields of the northwest arrived in the city last yesterday afternoon.

It was reinforced by a regular blizzard before 12 o'clock last night and the window shutters gave loud evidence of the fact that the cold wave had just commenced to have his Christmas frolic.

The mercury this morning will stand at least 15 degrees lower than it stood at sunrise yesterday. This is the report as it comes from the weather bureau. The bulletins indicate that the wave is one of considerable dimensions and covers a wide sweep of territory.

It is the first cold snap that Atlanta has had this year and overcasts will be worn this morning with a probability of rain. The man who boasted a few days ago of Atlanta's climate, comparing it to the warm seductive atmosphere of a Spanish spring will stay at home this morning and keep his feet under the grate.

The report received at the weather bureau this morning was that the cold wave was moving southward and that the mercury would drop to a low point in the next few days.

Mr. Joel Hurt, president of the Consolidated company, said yesterday that it was the purpose of his company to give the people of Atlanta a new and improved service they have ever had during any of the past seasons.

Arrangements will be made whereby the annoyance and inconvenience of the past, resulting from over-crowding of the cars and poor terminal facilities, will be avoided. Mr. Hurt said in order to do that our company will expend something like \$100,000 in making improvements.

At sunrise this morning the violence of the winds will be appeased but the cold wave will continue with the probability of a snow fall. Atlanta escaped the snow last year, but this gives her no exemption from the cold wave.

The following is the full report as it comes from the weather bureau:

"Yesterday was a day of sudden and quite decided temperature changes throughout the country and wintry weather prevailed everywhere except in the Gulf States, the coast of Georgia and in the Florida peninsula, where the temperature remained moderate."

"The cold wave from the northwest arrived in the city last yesterday afternoon. It was reinforced by a regular blizzard before 12 o'clock last night and the window shutters gave loud evidence of the fact that the cold wave had just commenced to have his Christmas frolic."

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TO HAUL THE PEOPLE

Extra Preparations to Carry the Crowds to the Exposition.

A NEW LINE TO BE BUILT

A Terminal Station to Be Put Up Inside the Grounds—A Hundred Thousand Dollars to Be Spent.

The street car facilities for carrying the people to and from the Cotton States and International exposition next year will be on the most extensive scale.

Great crowds will come to Atlanta from every section of the country and the demand for transportation to the grounds will be so great that the city will be obliged to make extensive preparations to carry the crowds.

The Atlanta Consolidated Street Railway Company and another strong company now forming, recognize that fact and great preparations will be made for the hauling of the people. In addition to the new line, the street car company will make extensive preparations to carry the crowds.

The safe and successful transportation of the people to and from the exposition will be one of the greatest questions connected with it, and one of the most important. If the people go they will require quick and prompt street car service.

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ARGENTINE, TOO.

The South American Republic Proposes to Have an Exhibit Here.

ITS CHICAGO DISPLAY TO BE MOVED

Honduras Is to Be Represented by Exhibits Made by Private Parties—Peru May Also Make a Display.

New York, December 26.—(Special.)—The announcement in The New York Herald that the government of the Argentine Republic had formally accepted the invitation to make a display at the Cotton States and International exposition next fall is corroborated today by the consular general of that country, who has received formal notice to that effect.

The Argentine Republic will make one of the most attractive displays of any of the South American countries at the exposition and it will transfer most of its exhibit at the world's fair to Atlanta, which of it is still in this country and it will be made the basis of the Argentine's display at the Cotton States and International exposition.

The government has authorized the expenditure of \$150,000 in gold for the removal of the exhibit to Atlanta and for the construction of a building to house it. Its representatives have already been notified accordingly and the work of gathering new features for the exposition will be begun at once.

It is believed that the Argentine's exhibit will be one of the most attractive of the exposition. The Argentine Republic will make one of the most attractive displays of any of the South American countries at the exposition and it will transfer most of its exhibit at the world's fair to Atlanta, which of it is still in this country and it will be made the basis of the Argentine's display at the Cotton States and International exposition.

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HIGHEST OF ALL IN LEAVENING POWER.

Latest U. S. Gov't Report.

FOR THE JAIL BONDS

Proposed Issue.

The county prison is a disgrace. It has been so termed by several Grand Jurors—Gossip About the Approaching Election, on January 2d.

Next Wednesday, January 2d, is election day for the county officers and on the same day and at the same voting places there will be a subscription for the jail bonds. The jail bonds elections have always occurred simultaneously with the most important election for the past three years and every time they have been defeated. The details were such as they do not deserve to come within the terms, but the effect in every instance was the same.

According to the law governing the jail bond election, it requires that two-thirds of the qualified voters shall cast ballots in favor of the bonds. A vote cast neither for nor against the bonds had the same effect as one put into the ballot box against it. In fact, if there was not a single vote against the jail bonds and one less than the necessary two-thirds should be favorable, the bonds would be defeated.

In nearly every instance heretofore the jail bonds have had something to contend against. In one election there was so much feeling between the candidates that the bonds were overlooked. There are now about 4,000 voters qualified for the election next week. Out of this number it requires 2,667 votes to carry the bonds. It is not, therefore, a very difficult matter to get the bonds.

Every member of the present board of commissioners is in hearty favor of the jail bonds. They have visited the jail time after time and know what the existing conditions there are. They voted to advertise for the election for bonds, in the light of this knowledge. The county commissioners are to be shortly inaugurated, are for carrying out the jail bonds. They have recommended the building of a new jail. The recommendations of the last grand jury designated the jail in the severest terms.

The bonds, as provided for by the county commissioners in the event that they are carried, will amount to \$100,000, and the entire issue will be retired at the end of thirty years. The interest will be 6 percent per annum. At the end of the first year the interest will be \$6,000.

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